

### **REMARKS**

Applicants appreciate the thorough examination evidenced by the Office Action mailed May 29, 2008 (hereinafter the "Official Action"). In response, Applicants have amended independent Claims 1, 51, and 55 to clarify that the plurality of formats is a plurality of media formats. Applicants have also amended independent Claims 40 and 68 to include recitations from dependent Claims 45 and 70, respectively, that are related to presenting the taxpayer with multiple options for receiving value when the taxpayer is entitled to a refund and presenting the taxpayer with multiple options for paying a tax when the taxpayer owes a tax. Independent Claims 54 and 58 have been amended similarly to independent Claim 40. Dependent Claims 45 and 70 have been canceled without prejudice or disclaimer. Applicants submit that the cited reference fails to disclose or suggest all of the recitations of the pending independent claims as amended. Accordingly, Applicants submit that all pending claims are in condition for allowance. Favorable reconsideration of all pending claims is respectfully requested for at least the reasons discussed hereafter.

#### **Independent Claims 1, 51, and 55 are Patentable**

Independent Claims 1, 51, and 55 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U. S. Patent No. 7,234,103 to Regan (hereinafter "Regan"). (Office Action, page 2). Independent Claim 1 is directed to a method of processing a tax return and recites, as amended, in part:

receiving tax information associated with a taxpayer, wherein the tax information is in a plurality of media formats;  
... (Emphasis added).

Claims 51 and 55 include similar recitations. According to independent Claims 1, 51, and 55, the tax information is in multiple media formats. For example, the tax information may be recorded on paper and may also be stored electronically.

The Office Action cites col. 52, lines 5 – 10 as describing the tax information as being in multiple formats. (Office Action, page 2). In contrast to the recitations of Claims 1, 51, and 55, however, this passage describes multiple currency formats, not media formats. In rejecting dependent Claim 2, the Office Action cites block 1210 of FIG. 12 of Regan as disclosing both paper and electronic media formats. (Office Action, page 3). Regan describes this block as follows: "[a]dditional data is subsequently received from the user in

operation 1210 for filling the fields utilizing the network." (Regan, col. 19, lines 46 – 48). Regan does not provide any description that the user provides the data in a plurality of formats. Instead, Regan teaches that the user enters the information electronically by filling out fields in forms via a computer network. (Regan, col. 19, lines 35 – 50). Applicants submit, therefore, that Regan fails to disclose or suggest the tax information being in a plurality of media formats.

For at least the foregoing reasons, Applicants respectfully submit that independent Claims 1, 51 and 55, as amended, are patentable over Regan, and that dependent Claims 2 – 13, 51, and 55 are patentable at least by virtue of their depending from an allowable claim.

**Independent Claims 14, 40, 52, 54, 56, 58, 59, 62, and 68 are Patentable**

Independent Claims 14, 40, 52, 54, 56, 58, 59, and 62 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Regan. (Office Action, page 2). Independent Claim 68 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Regan in view of U. S. Patent No. 6,473,741 to Baker (hereinafter "Baker") (Office Action, pages 12 – 13). Independent Claim 14 is directed to a method of processing a tax return and recites, in part:

...  
presenting the taxpayer with options for receiving value if the taxpayer is entitled to a tax refund; and  
presenting the taxpayer with options for paying a tax if the taxpayer owes the tax.

Independent Claims 40, 52, 54, 56, 58, 59, 62, and 68 include, or have been amended to include, similar recitations. The Office Action cites Regan's teachings regarding directing refunds to a tax payer account and paying a tax via a bank debit account as disclosing the above-reproduced recitations. (Office Action, page 3). These recitations, however, state that multiple options are presented to the taxpayer both for receiving value when the taxpayer is entitled to a tax refund and for paying a tax when the taxpayer owes the tax. Regan discloses only one option for receiving value and only one option for paying a tax. Moreover, Baker fails to provide the teachings missing from Regan.

For at least the foregoing reasons, Applicants respectfully submit that independent Claims 14, 40, 52, 54, 56, 58, 59, 62, and 68 are patentable over the cited references, and that dependent Claims 15 – 27, 41 – 44, 46 – 50, 60, 61, and 69 are patentable at least by virtue of their depending from an allowable claim.

**Independent Claims 28, 53, and 57 is Patentable**

Independent Claims 28, 53, and 57 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Regan. (Office Action, page 2). Independent Claim 28 is directed to a method of processing a tax return and recites, in part:

...  
establishing an account with a financial institution if the taxpayer is entitled to a refund.

Independent Claims 53 and 57 include similar recitations. The Office Action cites col. 27, lines 55 – 60 and col. 73, lines 10 – 15 of Regan as disclosing the ability to direct a tax refund to a taxpayer's nominated account. (Office Action, page 3). Independent Claim 28, however, recites "establishing an account with a financial institution.." As shown in the taxpayer profile at col. 27, lines 55 – 60 of Regan, the taxpayer already has an account identified by an account number established with a financial institution. Applicants can find no teaching or suggestion in Regan that the financial account is established if the taxpayer is entitled to a tax refund. It appears that Regan teaches that the financial account exists irrespective of whether the taxpayer is entitled to a refund or owes a tax as Regan shows the same account number being used to pay a tax owed as well as receive a refund payment.

For at least the foregoing reasons, Applicants respectfully submit that independent Claims 28, 53, and 57 are patentable over Regan, and that dependent Claims 29 - 39 are patentable at least by virtue of their depending from an allowable claim.

**Independent Claim 63 is Patentable**

Independent Claim 63 stands rejected under 35 U.S.C. § 102(e) as being anticipated by Regan. (Office Action, page 2). Independent Claim 63 is directed to a method of initiating a financial transaction and recites, in part:

scanning at least one financial document;  
...

The Office Action cites the computer 214 shown in FIG. 2 of Regan as disclosing an input device that is configured to receive information. (Office Action, page 2). Applicants can find no teaching or suggestion in Regan, however, that the computer 214 is configured to

In re: Timothy Thronson  
Application No.: 10/811,709  
Filed: March 29, 2004  
Page 18 of 18

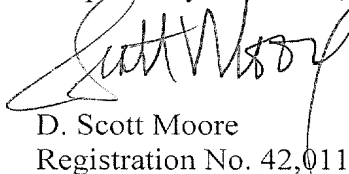
scan financial documents to obtain information therefrom for use in initiating a financial transaction as recited in independent Claim 63.

For at least the foregoing reasons, Applicants respectfully submit that independent Claim 63 is patentable over Regan, and that dependent Claims 64 - 67 are patentable at least by virtue of their depending from an allowable claim.

### CONCLUSION

In light of the above amendments and remarks, Applicants respectfully submit that the above-entitled application is now in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

Respectfully submitted,



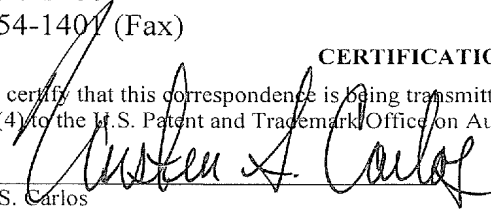
D. Scott Moore  
Registration No. 42,011

**Customer Number 20792**

Myers Bigel Sibley & Sajovec, P.A.  
P.O. Box 37428, Raleigh, NC 27627  
919-854-1400  
919-854-1401 (Fax)

### CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on August 29, 2008.



Kirsten S. Carlos